

04-13-01

D

HEAD, JOHNSON & KACHIGIAN

Patent, Trademark & Copyright Attorneys

Moore Manor
228 West 17th Place
Tulsa, Oklahoma 74119

Mark G. Kachigian

Telephone (918) 587-2000

Facsimile (918) 584-1718

E-Mail - mkachigian@hjkllaw.com

Law Offices:

Tulsa, Oklahoma

Fayetteville, Arkansas

Oklahoma City, Oklahoma

Search Office:

Washington D.C.

April 12, 2001

Assistant Commissioner of Patents

Box Patent Application

Washington, D.C. 20231

Re: Divisional Patent Application of U.S. Serial No. 09/387,906

WINE FERMENTATION CAP MANAGEMENT

AND POMACE REMOVAL

Our File No. SAN528/99071A

Customer No.24,118

Dear Sir:

Enclosed please find a divisional patent application on the above and the following documents:

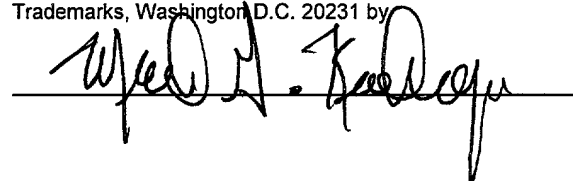
1. Preliminary Amendment
2. Request and Certification

The application contains 10 claims with 2 independent claims.

"EXPRESS MAIL" Mailing Label No. EL749341185US

Date of Deposit: April 12, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington D.C. 20231 by



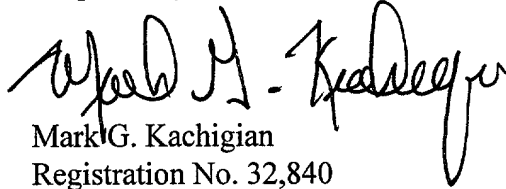
Assistant Commissioner of Patents

April 12, 2001

Page 2

Finally, enclosed is our check in the amount of \$355 to cover the filing fee. Please charge or credit any other fees during prosecution of this case to Deposit Account No. 08-1500.

Respectfully submitted,



Mark G. Kachigian

Registration No. 32,840

Head, Johnson & Kachigian

228 West 17th Place

Tulsa, Oklahoma 74119

(918) 587-2000

Attorneys for Applicant

Enclosure

ENCLOSURE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DANIEL KLEIN, WALDEN)
DAVIS, ANTHONY R.)
MATTHEWS and RONNIE)
BARTON)
SERIAL NO:)
FILED:)
FOR: WINE FERMENTATION CAP AND)
POMACE REMOVAL)
ART UNIT:)
EXAMINER:)

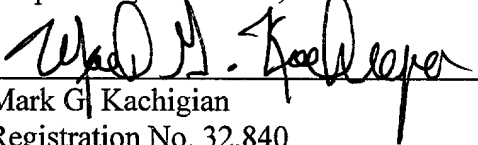
REQUEST AND CERTIFICATION

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

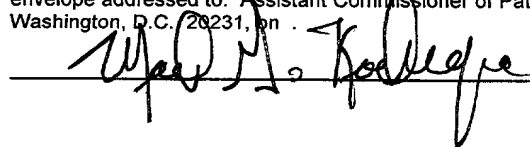
Respectfully submitted,


Mark G. Kachigian

Registration No. 32,840
Head, Johnson & Kachigian
228 West 17th Place
Tulsa, Oklahoma 74119
(918) 587-2000
Attorneys for Applicant

Date: April 12, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on .



PATENT
Customer No. 24,118

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. SAN528/99071A
Anticipated Classification of this application:
Class: Subclass:
Prior Application:
Examiner: S. Dauerman
Art Unit: 1761

Commissioner of Patents and Trademarks
Washington, D.C. 20231

DIVISIONAL PATENT APPLICATION
FILING UNDER 37 CFR §1.53(b) and §1.78(a)

This is a request for filing a divisional application under 37 CFR §1.53(b) and §1.78(a), of pending prior application Serial No. 09/387,906, filed on September 1, 1999 by Daniel Klein, Walden Davis, Ronnie Barton and Anthony R. Matthews for **WINE FERMENTATION CAP MANAGEMENT AND POMACE REMOVAL**.

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application, including the oath or declaration originally filed (37 CFR §1.78(a)).

The copy of the papers of prior application as filed which are attached are as follows:

11 pages of specification

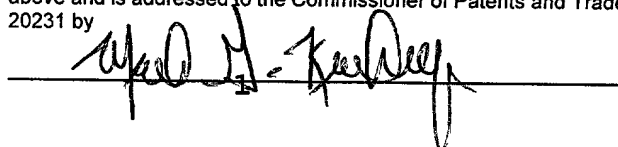
4 pages of claims

1 page of abstract

4 sheet(s) of drawings

4 pages of declaration and power of attorney

"EXPRESS MAIL" Mailing Label No. EL749341185US, Date of Deposit: April 12, 2001, I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington D.C. 20231 by



Cancel in this application original Claims 1 through 11 of the prior application and subsequently added Claims 22 and 23 before calculating the filing fee. Original Claims 12 through 21 remain.

The fee calculation is as follows:

Number Filed	Number Extra	Rate	Basic Fee \$355.00
Total Claims	<u>10</u> - 20 = 15 x	\$ 09.00	\$
Independent Claims (37 CFR 1.16(b))	<u>2</u> - 3 = 0 x	\$ 78.00	\$
Multiple dependent claim(s), if any (37 CFR 1.16(d))	x	\$125.00	

Filing Fee Calculation \$355.00

Applicants claim small entity status. (37 CFR 1.28(a)).

Amend the specification by inserting before the first line the sentence:

-- This is a divisional application of copending Serial No. 09/387,906 filed on
September 1, 1999. --

With respect to the prior copending U.S. application from which this application claims benefit under 35 USC §120 the inventor(s) in this application is the same.

The inventorship for all the claims in this application are the same.

The prior application is assigned of record to San Luis Tank Piping Construction Co., Inc. and Dan Klein.

Enclosed is a check in the amount of \$355 which covers the basic filing fee.

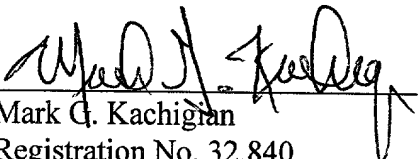
The Commissioner is hereby authorized to charge any fees which may be required by this paper and during the entire pendency of the application to Account No. 08-1500.

The power of attorney is to the attorney(s) and/or agent(s) presently listed in our Customer Nos. 24,118 (Tulsa), 24,951 (Arkansas) and 24,950 (Oklahoma City) all members duly authorized to practice law. Further, all foregoing attorneys are authorized to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Letters Patent Document, if issued. The power appears in the original papers in the prior application.

Address all future communications to:

Mark G. Kachigian
Head, Johnson & Kachigian
228 West 17th Place
Tulsa, Oklahoma 74119
(918) 587-2000

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Mark G. Kachigian
Registration No. 32,840
HEAD, JOHNSON & KACHIGIAN
228 West 17th Place
Tulsa, Oklahoma 74119
(918) 587-2000
Attorneys for Applicant

April 12, 2001